



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,455	10/11/2001	Akihiko Toyoshima	50P4257.02	9916

7590 06/02/2006
JOHN L. ROGITZ
ROGITZ & ASSOCIATES
750 B STREET
SUITE 3120
SAN DIEGO, CA 92101

EXAMINER

PHUNKULH, BOB A

ART UNIT	PAPER NUMBER
----------	--------------

2616

DATE MAILED: 06/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/976,455

Applicant(s)

TOYOSHIMA, AKIHIKO

Examiner

Bob A. Phunkulh

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/15/05; 08/17/04.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities: please provides the application numbers cited page 1.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by *Humpleman et al.* (US 6198479), hereinafter *Humpleman*.

Regarding claim 1, *Humpleman* discloses a home network, comprising:
two or more host devices, where at least one host device includes a wireless module port, and where the host devices are connected in a local network (DVD 108, DVCR, BRIDGE PROXY 116, DTV 102, see figure 1); and
a wireless module connected to the wireless module port of a host device, where the wireless module provides a wireless connection to an external network (a wireless module 122 and DSS-NIU, see figure 1);

where at least one host device is a consumer appliance (see col. 1 lines 28-33).

Regarding claim 2, *Humpleman* discloses a host device that is not connected to the wireless module is configured to send data to the host device that is connected to the wireless module to be sent to the external network (security system 120 sent the data to bridge proxy 116, see figure 1).

Regarding claim 3, *Humpleman* where the host device that is connected to the wireless module is configured to send data from the external network to a host device that is not connected to the wireless module (the bridge proxy 116 sent the data to security system 120 via 1394 serial bus, see figure 1).

Regarding claim 4, *Humpleman* discloses where the external network is the Internet (see col. 20 lines 42-52).

Regarding claim 5, *Humpleman* discloses where one host device is a television (DTV 102, see figure 1).

Regarding claim 6, *Humpleman* where one host device is an audio system (see col. 19 lines 21-28).

Art Unit: 2616

Regarding claim 7, *Humpleman* inherently discloses where one host device is a refrigerator (see col. 1 lines 28-38).

Regarding claim 8, *Humpleman* discloses where the wireless module and the wireless module port are compatible with a PCMCIA interface (inherent features).

Regarding claim 9, *Humpleman* discloses where the wireless module and the wireless module port are compatible with a Memory Stick interface (inherent feature).

Regarding claim 10, *Humpleman* inherently discloses where the wireless module and the wireless module port are compatible with a Bluetooth interface (see col. 5 lines 37-48).

Regarding claim 11, *Humpleman* discloses where a host device (DVD 108, DTV 102, DVCR 110, BRIDGE PROXY 116, see figure 1) connected to a wireless module (DSS-NIU 104) is a home network portal and the home network portal comprises: a wireless module port for communicating with the wireless module; a home network portal control connected to the wireless module port; a home network interface connected to the home network portal control and to at least one host device through the local network; and a host device functionality block connected to the home network interface (see figure 1).

Regarding claim 12, *Humpleman* inherently discloses where the wireless module comprises: an antenna (antenna 122); a duplexer connected to the antenna; a transmitter connected to the duplexer for providing signals to the antenna; a receiver connected to the duplexer for receiving signals from the antenna; a baseband signal processor connected to the transmitter and to the receiver; a microprocessor connected to the baseband signal processor for controlling the wireless module; a memory connected to the microprocessor; and an input/output interface connected to the microprocessor for communicating with a host device (see figures 1 and 14).

Regarding claim 13, *Humpleman* discloses where the local network is a wireless network (see col. 5 lines 37-48).

Regarding claim 14, *Humpleman* discloses where the local network is an Ethernet network (see col. 5 lines 37-48).

Regarding claim 15, *Humpleman* where the local network is an IEEE 1394 network (see col. 5 lines 37-48).

Regarding claim 16, *Humpleman* discloses a method of registering a home network portal, comprising:

evaluating a status of a wireless module port in a first host device in a home network including multiple host devices;

Art Unit: 2616

if the wireless module port status indicates a wireless module is not connected, evaluating the status of the wireless module port again; and

if the wireless module port status indicates a wireless module is connected, broadcasting to other host devices in the home network that the first host device is a home network portal having a connected wireless module (see col. 11 lines 45-65).

Regarding claim 17, *Humpleman* discloses where at least one host device is a consumer appliance (see col. 1 lines 28-33).

Regarding claims 18-19, *Humpleman* discloses a method of receiving/transmitting data in a home network through a home network portal, comprising:

receiving data from an external network at a home network portal, where the home network portal has a connected wireless module and is a host device in a home network including multiple host devices (DTV, DVD, DVCR, see figure 1 and 14);

determining which host device in the home network is a destination host device for the data (each of the host device have unique IP address assigned by DHCP server, see col. 11 lines 45-65); and

sending data from the home network portal to the destination host device (the incoming data are route to their destination according to their unique IP address, see col. 11 lines 45-65);

Art Unit: 2616

where at least one host device is a consumer appliance (see col. 1 lines 28-33).

Regarding claim 20, *Humpleman* discloses a system for registering a home network portal, comprising:

means for evaluating a status of a wireless module port in a first host device in a home network including multiple host devices;

means for evaluating the status of the wireless module port again if the wireless module port status indicates a wireless module is not connected; and

means for broadcasting to other host devices in the home network that the first host device is a home network portal having a connected wireless module if the wireless module port status indicates a wireless module is connected (see col. 11 lines 45-65).

Conclusion

Any response to this action should be mailed to:

The following address mail to be delivered by the United States Postal Service (USPS) only:

Mail Stop _____
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

or faxed to:

(703) 872-9306, (for formal communications intended for entry)

Or:

Art Unit: 2616

The following address mail to be delivered by other delivery services (Federal Express (Fed Ex), UPS, DHL, Laser, Action, Purolater, Hand Delivery, etc.) as follow:

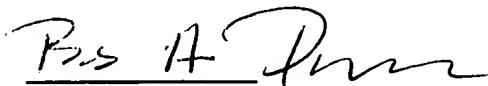
U.S. Patent and Trademark Office
220 20th Street South
Customer Window, Mail Stop _____
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bob A. Phunkulh** whose telephone number is **(571) 272-3083**. The examiner can normally be reached on Monday-Tuesday from 8:00 A.M. to 5:00 P.M. (first week of the bi-week) and Monday-Friday (for second week of the bi-week).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor **Wellington Chin**, can be reach on **(571) 272-3134**. The fax phone number for this group is **(571) 273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 2616

A handwritten signature in black ink, appearing to read "Bob A. Phunkulh". The signature is written in a cursive style with a horizontal line underneath the first part.

Bob A. Phunkulh

Primary Examiner

TC 2600

Technology Division 2616

May 30, 2006